

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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UNITED STATES OF AMERICA	:	Criminal No. 12-135 (RJL)
	:	
v.	:	<u>Filed Under Seal</u>
	:	
KWAME R. BROWN,	:	
	:	
Defendant.	:	
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GOVERNMENT'S MOTION TO SEAL


For the reasons stated in the accompanying unopposed Motion to Continue Sentencing Hearing, the government respectfully moves to seal that motion, this motion to seal, and the accompanying orders.

WHEREFORE, the government respectfully requests that the Court grant the government's unopposed Motion to Seal.

Respectfully submitted,

RONALD C. MACHEN JR.
United States Attorney


By:



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**UNITED STATES DISTRICT COURT
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v.

KWAME R. BROWN,

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Criminal No. 12-135 (RJL)

Filed Under Seal

GOVERNMENT'S UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING

The United States of America, by and through the United States Attorney for the District of Columbia, moves to continue for a period of 45 days the sentencing hearing currently scheduled for September 20, 2012. The defendant, through counsel, has represented that he does not oppose this motion. Pursuant to the plea agreement, the defendant has agreed to cooperate with the government in this and other criminal matters. The parties anticipate that there will be further discussions relating to cooperation. The full extent of the defendant's cooperation, once it is completed, will be relevant for the Court to consider at his sentencing hearing.

The government is filing this motion under seal because, although the cooperation provision in the plea agreement is public, the extent and timing of any potential cooperation are not. If such information were made public at this time, it could impede ongoing investigations by alerting persons suspected of engaging in criminal conduct of ongoing law enforcement activity and other information known to law enforcement. Such premature public disclosure could compromise the ongoing investigations and could undermine the development or integrity of evidence in such matters. *See United States v. Hubbard*, 650 F.2d 293 (D.C. Cir. 1981); *In re*

Sealed Affidavits, 600 F.2d 1256 (9th Cir. 1979); *Shea v. Gabriel*, 520 F.2d 879 (1st Cir. 1975).

There is, therefore, a compelling governmental interest in maintaining this motion under seal.

See Washington Post v. Robinson, 935 F.2d 282, 289 (D.C. Cir. 1991).

WHEREFORE, the government respectfully requests that the Court grant this unopposed Motion to Continue Sentencing Hearing.

Respectfully submitted,

RONALD C. MACHEN JR.
United States Attorney

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